

**ELECTRONICALLY FILED**

Superior Court of California,  
County of Alameda  
**11/03/2021 at 11:47:52 AM**

By: Lynn Wiley, Deputy Clerk

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6 Attorneys for Plaintiff  
7 CENTER FOR ENVIRONMENTAL HEALTH

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

11 **COUNTY OF ALAMEDA**

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13 CENTER FOR ENVIRONMENTAL HEALTH,  
a non-profit corporation,

14  
15 Plaintiff,

16 v.

17 GYMSHARK USA, INC., *et al.*,

18 Defendants.  
19

Case No. RG21107796  
ASSIGNED FOR ALL PURPOSES TO:  
Judge Delbert C. Gee; Department 514

**C.C.P. § 474 AMENDMENT TO  
COMPLAINT**

Action Filed: July 22, 2021  
Trial Date: None set

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On July 22, 2021, Plaintiff Center for Environmental Health (“CEH”) filed its original  
Compliant in this action. On September 30, 2021, CEH filed its First Amended Complaint.  
Pursuant to California Code of Civil Procedure § 474, CEH hereby amends the operative First  
Amended Complaint (the “operative Complaint”) as follows:

1. By inserting the name BEACHBODY LLC in place of the reference to DOE 1 in each  
place that it appears in the operative Complaint.

Dated: November 3, 2021

Respectfully submitted,

LEXINGTON LAW GROUP



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Meredyth L. Merrow  
Attorneys for Plaintiff  
CENTER FOR ENVIRONMENTAL HEALTH

1 **PROOF OF SERVICE**

2 I, Owen Sutter, declare:

3 I am a citizen of the United States and employed in the County of San Francisco, State of  
4 California. I am over the age of eighteen (18) years and not a party to this action. My business  
5 address is 503 Divisadero Street, San Francisco, CA 94117 and my email address is  
osutter@lexlawgroup.com.

6 On November 3, 2021 I served the following document(s) on all interested parties in this  
7 action by placing a true copy thereof in the manner and at the addresses indicated below:

8 **C.C.P. § 474 AMENDMENT TO COMPLAINT**

9  **BY MAIL:** I am readily familiar with the firm's practice for collecting and processing mail  
10 with the United States Postal Service ("USPS"). Under that practice, mail would be deposited  
11 with USPS that same day with postage thereon fully prepaid at San Francisco, California in the  
ordinary course of business. On this date, I placed sealed envelopes containing the above  
mentioned documents for collection and mailing following my firm's ordinary business practices.

12  **BY FACSIMILE:** I caused all pages of the document(s) listed above to be transmitted via  
13 facsimile to the fax number(s) as indicated and said transmission was reported as complete and  
without error.

14  **BY ELECTRONIC MAIL:** I transmitted a PDF version of the document(s) listed above via  
15 email to the email address(es) indicated on the attached service list [or noted above] before 5 p.m.  
on the date executed.

16 *See attached service list.*

17  **BY PERSONAL DELIVERY:** I placed all pages of the document(s) listed above in a sealed  
18 envelope addressed to the party(ies) listed above, and caused such envelope to be delivered by  
hand to the addressee(s) as indicated.

19  **BY OVERNIGHT DELIVERY:** I deposited such document(s) in a box or other facility  
20 regularly maintained by FedEx, or delivered such document(s) to a courier or driver authorized by  
FedEx, with delivery fees paid or provided for, and addressed to the person(s) being served  
below.

21 I declare under penalty of perjury under the laws of the State of California that the  
22 foregoing is true and correct.

23 Executed on November 3, 2021 at San Francisco, California.

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25 \_\_\_\_\_  
26 Owen Sutter  
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**SERVICE LIST**

**CEH v. Gymshark USA, Inc., et al.**

**Case No. RG 21-107796**

<b>ADDRESS</b>	<b>PARTY</b>
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